

8-1949

# The dry cleaning industry in Virginia

Conard Blount Mattox

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THE DRY CLEANING INDUSTRY IN VIRGINIA

BY

CONRAD BLOUNT MATTOX, JR.

A THESIS  
SUBMITTED TO THE GRADUATE FACULTY  
OF THE UNIVERSITY OF RICHMOND  
IN CANDIDACY  
FOR THE DEGREE OF  
MASTER OF ARTS IN POLITICAL SCIENCE

UNIVERSITY OF RICHMOND  
VIRGINIA

AUGUST, 1949

## PREFACE

The purpose of this essay is to convey to the reader an adequate account of the growth and development of the Dry Cleaning Industry in Virginia. With this in mind the author has included material which normally would not appear in such a paper. He felt that a clearer picture of the Cleaning Industry could be obtained by including chapters on the actual Cleaning Process and the Structure of the Industry.

As one may imagine the majority of this essay deals with the laws passed by the General Assembly regulating the Cleaning Industry. This, of course, being the most important phase of the Industry.

The author desires to express grateful acknowledgment for the helpful criticisms he has received from Dr. R. C. McDanel, professor of History and Political Science and to Dr. S. D. Albright, professor of Political Science at the University of Richmond, and in varying degree, but no less grateful to Mr. E. T. Macrofield, chairman of the State Dry Cleaners Board and to Mr. R. W. Billingsley, Secretary of the Board.

C B M

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CHAPTER I  
THE HISTORY OF THE CLEANING INDUSTRY

The task of cleaning clothes is as old as time itself. It is a problem familiar to every housewife in the world. From the beginning of time people have wished for ways to make this drudgery easier. To many people's delight, in the early part of the nineteenth century, a foreign chemist discovered that liquid benzine, derived from coal tar, would remove dirt and stains from clothes. "Moreover, benzine was not absorbed by cloth as was water, and therefore, did not cause material to shrink."<sup>1</sup> Persons who possessed this secret were regarded somewhat as magicians, and when some of these specialists set up establishments to sell their services to the public, the commercial dry cleaning industry came into being.<sup>2</sup> "Thus this industry, like all other personal-service industries, is an outgrowth of activities originally performed in the home."<sup>3</sup> The first dry cleaning

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1. Alexandria (Virginia) Gazette, September 28, 1937.
  2. Paul C. Trimble, Dry Cleaning Business, p. 1.
  3. Ibid.

plant (so called because no water was used) was established in France about the year 1845. A few years later a similar plant began operation in New York. In the latter part of the nineteenth century American chemists discovered that gasoline was a better cleaning solvent than benzine and it was then adopted by most dry cleaners in this country.<sup>4</sup>

Even with this new method of cleaning clothes the business progressed slowly. "It is estimated that as late as 1904 there were not more than 100 plants in the United States."<sup>5</sup> Explosions and fires were so frequent that people were not willing to invest their money in such a hazardous business. Moreover, the public had not been sold on the idea of having their clothes dry cleaned. "Most men's suits were cleaned, during the early years of the present century by a local tailor who scrubbed them with soap and water, and women's dresses, which were not suitable for washing, were revived for further wear by sending them to the local dye works."<sup>6</sup> Such services were considered a comparative luxury and dry cleaners were patronized chiefly by what might then have been called the

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4. Alexandria Gazette, op. cit.

5. Trimble, op. cit., p. 2.

6. Alexandria Gazette, op. cit.

"swells" of the community.<sup>7</sup> "Usually about ten days elapsed between the time the garment was picked up and the time it was delivered."<sup>8</sup> It is interesting to note that there was little or no selling or advertising and competition was not intense.

The cleaning industry probably suffered its greatest single setback with the advent of World War I. So unimportant was dry cleaning considered that the government refused cleaners gasoline and other supplies necessary to carry on the industry. In a desperate attempt to secure these supplies leaders in the business went to Washington and explained the potentialities of the industry. As a result the government itself adopted dry cleaning as a hygienic and efficient means of cleaning army and navy uniforms.<sup>9</sup> From this time on the cleaning industry has grown at a rapid rate.

In 1917 the National Association of Dyers and Cleaners was established at Silver Springs, Maryland. With the need for improved methods this association in 1927 established the Institute of Dyeing and Cleaning. The purpose of the institute was to do research in the cleaning field. In 1930 this institute developed a non-explosive

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7. Trimble, op. cit., p. 2.

8. Ibid.

9. Alexandria Gazette, op. cit.

cleaning solvent. This solvent, a by product of gasoline manufacture, made the cleaning industry what it is today. The Institute of Dyers and Cleaners also conducts a school for cleaners, giving instruction on the use of new equipment and new techniques.<sup>10</sup>

In 1927 the people engaged in the cleaning business in Virginia united under the name of the Virginia Association of Cleaners and Dyers. The objectives of the association are stated in Article II of its constitution. They are "a) to promote the welfare of the industry; b) to encourage and interest cleaners in correct processes; c) to foster and promote a feeling of fellowship and goodwill among members...; d) to eliminate or minimize abuses, methods, and practices likely to cause a loss of confidence on the part of the consumers."<sup>11</sup>

In 1929 the association made a survey of the dry cleaning industry in Virginia and found that there were 281 power operated processing plants in operation.<sup>12</sup> There were at the same time approximately 175,000 pressing shops in the United States.<sup>13</sup> The Virginia plants employed

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10. Ibid.

11. Constitution and By-Laws of Virginia Association of Cleaners and Dyers, p. 1.

12. A Report by the Virginia Association of Cleaners and Dyers, June 1930.

13. Trimble, op. cit., p. 5.



4,281 workers and 15,784 people were dependent upon the industry for their livelihood.<sup>14</sup> Today there are over 700 licensed plants operating in Virginia. According to Mr. E. T. Moorefield this represents about 90 per cent of the total number in operation. Mr. Moorefield also estimates that there are now between fifteen to twenty thousand people employed in the industry.<sup>15</sup> These figures would indicate that there are today from fifty to sixty thousand people dependent upon the cleaning business for their living.

The average weekly wage of these employees is approximately \$34 per week, or \$1,800 per year. This took slightly more than half of the average annual value of cleaning per employee which is approximately \$3,500.<sup>16</sup> It should be remembered that wages differ in different cities and they also vary as to the strength of employee unions. Union activity in the cleaning industry in Virginia has not been too strong. Few plants in the larger cities have been successfully unionized. One reason for the union's failure to unionize more plants can be attributed to the rapid turn over of employees.

In the same report the association revealed that in the face of

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14. A Report by the Virginia Association of Cleaners and Dyers, op. cit.

15. Mr. E. T. Moorefield is a member of State Dry Cleaners Board.

16. A Report by the Virginia Association of Cleaners and Dyers, op. cit.

the depression some plant operators began to lower prices. This started a price war which eventually forced some plants to close their doors. This continuous lowering of prices created a chaotic condition in the industry, "resulting in oppressive working conditions, lowered standards of sanitation and quality of work."<sup>17</sup> Some operators turned to all known methods of fraud, and deception played on the consuming public. The public was also being preyed upon by unscrupulous persons having absolutely no connection with the cleaning and dyeing industry. One common abuse by such persons was that of soliciting and collecting clothes and then leaving for parts unknown, thereby creating on the part of the public a feeling of distrust towards all members of the cleaning industry.<sup>18</sup>

Similar conditions were found to exist in other states as well. The problem became so serious that Florida, New Jersey, Delaware, Wisconsin and California enacted legislation to regulate the business immediately. By 1930 nineteen other states and the District of Columbia had such legislation pending.<sup>19</sup> The passage of a Virginia law regulating the cleaning industry will be discussed in a following

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17. A Report by the Virginia Association of Cleaners and Dyers, op. cit.

18. Ibid.

19. Ibid.

chapter.

At this point it would be interesting to note some of the statistics of the industry. As we have seen above there were approximately 175,000 pressing shops in 1929.<sup>20</sup> Today there are only 50,000 such shops in operation.<sup>21</sup> Several reasons for this reduction may be set forth. Probably the most important explanation of this fact may be found in the growth of the delivery type of dry cleaning establishments. It should be noted, however, that even with the reduction of such pressing shops, the total volume of cleaning has increased. It is also interesting that today about 60 per cent of the cleaning establishments are of the delivery type. A large number of these plants have only one delivery truck, but the range goes as high as 100 delivery vehicles.<sup>22</sup>

As we have seen above there are approximately 700 licensed cleaning establishments in Virginia. According to Mr. Joseph Smith of the Virginia Department of Labor and Industries only 158 of these plants employ more than eight persons.<sup>23</sup> These plants employed 2665 persons.

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20. Trimble, op. cit., p. 5.

21. Ibid., p. 9.

22. Ibid.

23. Mr. Smith is in the Statistical Bureau of the Virginia Department of Labor and Industries.

which is approximately 17 persons per plant. Of this number 1483 were white and 1182 were colored employees. It is also interesting that 1286 were men and 1379 were women. From the above statistics we may surmise that the majority of the cleaning establishments in Virginia are rather small in terms of employees.

CHAPTER II  
THE STRUCTURE OF THE CLEANING INDUSTRY

The dry cleaning industry today is composed of several types of business concerns. These concerns differ in the kind of work they do, the service they perform and the techniques they employ in the dry cleaning process. To present a picture of the cleaning industry as it actually exists, the numerous kinds of dry cleaning concerns may be classified here on the basis of, 1) their function and methods of operation and, 2) the kind of cleaning solvent used.<sup>1</sup>

For the sake of discussion the functional classification, mentioned above, may be sub-divided into the following: 1) the tailor or press shop, 2) wholesale dry cleaning plant, 3) chain type of dry cleaner, 4) delivery type dry cleaner, and 5) drive-in dry cleaner.<sup>2</sup> It should be noted, however, that all cleaning establishments cannot be classified according to any one of the above. Some cleaners may fall under one or more of the above classifications. The delivery type dry cleaner is probably the best known type. For the most part, especially in Virginia, they handle the majority of the cleaning business. The drive-in dry cleaner is the newest of the various types

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1. Paul C. Trimble, Dry Cleaning Business, p. 6.

2. Ibid., pp. 6-8.

doing cleaning work.

The tailor or press shop is not a dry cleaning plant. It merely takes in the soiled clothes and sends them to a large dry cleaning plant for rough cleaning.<sup>3</sup> The cleaning plant returns the garments in bales or bundles, to the press shop, where they are finished for delivery to the customer. It may be necessary for the press shop to remove spots and stains and minor repairs are also performed here. In 1941 there were approximately 50,000 press shops in the United States.<sup>4</sup> To a great extent these shops support the wholesale dry cleaning plants.

Wholesale dry cleaning plants are usually located in the industrial areas of a city. For the most part they are found in large metropolitan areas. These plants are usually fully equipped with power-operated machines, capable of handling a large volume of garments daily. The operator of such a plant has arrangements or contracts with many shops of the tailor or press type, his trucks call regularly and pick up bundles of garments for dry cleaning.<sup>5</sup>

The wholesale cleaning business is unique in that it obtains

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3. Rough cleaning involves only the washing of garments.

4. Trimble, op. cit., p. 7.

5. Ibid.

Because the customer brings in and picks up his garments he frequently gets his cleaning services at a discount below the price charged for delivery work. This, of course, is one of the reasons for its growth in popularity.

The next type of classification to be discussed is the type of cleaning solvent used in the washing process. All plants which do the actual cleaning of garments can be grouped into one or the other of two fundamental classifications. "This distinction is a significant one, as the type of solvent used affects the choice of cleaning machinery, the location of the plant and other features of setting up and operating a dry cleaning business."<sup>11</sup> These two classifications are, 1) petroleum-solvent cleaning plants and 2) synthetic-solvent cleaning plants.

The cleaning plants that use petroleum-solvent account for more than two-thirds of the volume of business done.<sup>12</sup> This type of solvent is used in the larger cleaning plants throughout the industry. It should be noted that petroleum-solvent was the first type of solvent used by cleaners in this country.<sup>13</sup> As in every industry, the early

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11. Ibid.

12. Ibid.

13. Ibid.

methods of cleaning clothes were crude, but little by little improvements were made. The problem of dirty solvent in the early plants, to a degree, hindered the growth of the industry. For all practical purposes this problem in present day cleaning systems has been overcome. The method most commonly used in cleaning solvent, involves filtration and distillation.<sup>14</sup> In actual practice this process of filtration and distillation is continuous.

The second classification of solvent, namely synthetic-solvent plants, may be less important. "Before the war, about one-third of the cleaning plants in the United States were set up to use one of the synthetic cleaning fluids."<sup>15</sup> Most of these plants were small therefore accounting for less than one-third of the total volume of the cleaning business. There are many synthetic cleaning fluids, of these carbon tetrachloride, perchloroethylene and trichloroethylene are most commonly used.<sup>16</sup>

In choosing a solvent (petroleum or synthetic) many things should be considered. Floor space requirements as well as equipment lay outs

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14. Ibid.

15. Ibid.

16. Ibid.



are important.<sup>17</sup> To facilitate understanding of the two systems a comparison will most clearly show the differences. When synthetic-solvent is used, the problem of deodorizing and drying garments are minimized. Actually this is one operation, whereas in a petroleum system two separate operations are required. For this reason it is possible for a synthetic-solvent plant to render quicker service. Petroleum-solvent is cheaper per gallon than synthetic-solvent, and the cost of petroleum-solvent per pound of garments cleaned is usually less. This, from an economic point of view, is very important.

Synthetic-solvents are noninflammable, thus, they offer greater freedom in location, lower insurance cost, and greater safety from fire. In some instances synthetic-solvent plants have been able to locate in areas forbidden to petroleum-solvent plants.<sup>18</sup> It should be noted, however, that petroleum-solvents are less inflammable than formerly, but the danger of fires and explosions are still present. The equipment used in synthetic-solvent plants is more compact and can be installed easier and quicker than the equipment used in petroleum-solvent plants. "A synthetic-solvent plant can be set up in a smaller

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17. See pages 60 and 61.

18. Trimble, op. cit., pp. 54-55.

space than is required for an establishment using petroleum fluid."<sup>19</sup> This may result in a higher initial cost for plants using petroleum-solvent.<sup>20</sup> Additional pieces of equipment may be added to a petroleum-solvent system easier than to a synthetic system thus permits greater flexibility.<sup>21</sup> This in the opinion of many dry cleaners offsets the additional installation cost for petroleum-solvent equipment.

Vapors from petroleum-solvent are less toxic than those from synthetic-solvent. This makes necessary the installation of exhaust fans in plants that use synthetic-solvent. In actual practice, however, exhaust fans are used in all plant's cleaning rooms to protect the workers. Synthetic-solvents have a more corrosive effect on metal pipes, tanks and washers than do petroleum-solvents. Thus the life of the equipment used in petroleum-solvent plants is usually longer. This, of course, gives the petroleum-solvent type of plant a distinct advantage.<sup>22</sup> Synthetic-solvents have a lower boiling point than petroleum-solvents. This facilitates distillation which enables a cleaner to use the same solvent over more quickly than in the petroleum

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19. Ibid.

20. Ibid.

21. Ibid.

22. Ibid.

type system.<sup>23</sup>

It is the opinion of Mr. E. T. Moorefield, a dry cleaner in Danville, Virginia, that both solvents have a place in the cleaning industry. It is his observation that for small plants synthetic-solvent is probably better. For larger plants petroleum-solvent has proven its value. From the customer's point of view it makes little difference which type of cleaning solvent his cleaner uses. The quality of service turned out by the various cleaners cannot be directly attributed to the type of solvent used, but, rather to the experience and pains of his employees.

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23. Ibid.

### CHAPTER III PLANT OPERATIONS

Few of us realize the complicated procedure involved in the cleaning of clothes. When we take our soiled garments to a dry cleaner we expect them to be cleaned and returned ready to wear, seldom wondering how this is done. The purpose of this chapter is to discuss the cleaning process.

"There are eleven basic operations in most dry cleaning plants.

Each of these basic tasks, or jobs, may be broken down into several smaller operations, depending on the type of garment, cleaning requirements, and the set-up of the particular plant."<sup>1</sup> These basic operations may be identified as follows: 1) marking or identification, 2) invoicing, 3) classification, 4) dry cleaning, 5) wet cleaning, 6) spotting, 7) finishing, 8) repairing, 9) inspecting, 10) assembling and 11) packaging.<sup>2</sup> A discussion of the above is now in order.

The first of these basic operations is the preparation of an identification tag. Usually at the same time the invoice is written, the marker prepares identification tags and attaches them to all the garments. As a rule the marker makes a tag for each piece in the

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1. Paul C. Trimble, Dry Cleaning Business, p. 75.

2. Ibid.

bundle and jots down on each the number that is on the invoice. If the articles are to be delivered, the delivery route number may be put on the tag. This will make it easier to sort assembled works into truck loads. Various methods have been devised to facilitate the assembling of cleaned clothes. The marker may write the letter S, for example, on the tag attached to a coat. This would indicate that the coat is part of a suit.

Different cleaners use different kinds of marking tags. The most modern plants use the so-called "spring" tag. This type consists of a spring with two hooks that spread apart, with pressure between the thumb and first finger it can easily be hooked firmly onto a garment. A ribbon is attached to one end of the spring. "Although these are widely used they are not as popular as the small rectangle of linen or glazed cotton material on which different symbols may be recorded."<sup>3</sup> The latter type is much cheaper than the former which may account for its popularity.

The marker's most important duty is that of pricing. No matter what a plant's price schedule is, it is important to him as well as to his customers to charge the same amount for the same type of service each time for any specific garment. "Consequently, some cleaners

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3. Ibid.

follow the practice of recording on the hem or some other unexposed part of the garment, the first time it is handled a mark that will indicate the charge made."<sup>4</sup>

One other important duty of the marker is that of pre-classification. This amounts to selecting the garments which should be treated by hand before they are put into washers. Generally speaking, this includes garments carrying stains as blood, ink, grease, soft drinks or oil. The marker lays aside garments carrying these stains and tags them with a slip indicating that the stains are present.<sup>5</sup>

Assuming that the garments have been properly identified and tagged they are then removed into the cleaning room. Here they are re-classified by the cleaner. Each type of fabric requires special attention, thus an experienced person is necessary for best results. The actual washing or cleaning of such fabrics must be processed in certain distinct groups. A number of factors necessitate such a classification. "First and foremost is the problem of lint."<sup>6</sup> Obviously, if a fuzzy white garment is cleaned in the same washer with a fuzzy dark one, the dark garment may come out with a lot of white

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4. Ibid., p. 78.

5. Ibid., pp. 78-79.

6. Ibid., p. 79.

lint on it, and vice versa. If an employee must spend the rest of the day brushing or picking off the lint from either one of these garments there will not be much profit in the operation. Therefore, wools are cleaned separately and always in two general classifications, light wools and dark wools.<sup>7</sup>

Silk garments are also cleaned separately. The cleaning formula may also differ for light or dark silks. The reason for variation of the formula on silks in general, is to be found in the experience of many dry cleaners. "The cleaner may say, for example; 'I have no trouble with my dark wools, my gray wools or my dark silks, but somehow or other I haven't learned how to clean white work properly. I don't have the right soap or my filter doesn't work just right on white goods.'<sup>8</sup>

Bright colored materials probably require more attention and care than any other type of material cleaned. Brilliant greens, bright blues and sparkling scarlets are usually vivid and bright because of an excess of dyestuff. These run at the slightest provocation. Obviously if there is a light colored garment in the same washer with

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7. Ibid.

8. Ibid., p. 80.

dyestuffs that run or "bleed", the proprietor may expect to pay for the marred garments.<sup>9</sup>

There are some items that must be cleaned separately or in nets. Fur garments, if cleaned by the immersion process, as well as fur-trimmed garments should be cleaned separately from other items. Here again lights and darks should not be mixed. Draperies, because of their bulk should also be cleaned separately. Light fragile garments should be cleaned in nets. This prevents the garments from being torn or snagged and guards them against unnecessary strain.

Next, and probably the most important step in cleaning garments, is the actual cleaning process. This process may be broken down into 1) washing, 2) filtration, 3) rinsing, 4) extraction and 5) drying.<sup>10</sup> Once the garments are classified properly and a load made up, the garments are placed in the cleaning machine. With a full load the washer should be filled with solvent approximately two-thirds of the height of the inside cylinder.<sup>11</sup> Smaller loads carry lower solvent levels. "The guiding principles in this important operation are that the load shall not float in an oversupply of solvent with the cylinder revolving around it and the cylinder shall not be so over-

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9. Ibid.

10. Ibid., pp. 81-82.

11. Load limits are indicated by the machine manufacturer.



loaded as to prevent the drop of garments as they are carried partially around the circle by the ribs on the inside of the washing wheel."<sup>12</sup>

Where no soap is used during the washing procedure, filtration should be carried on continuously. If this is done, the insoluble particles which the solvent picks up in the washer will be deposited on the filter screens rather than re-deposited on the garments. Continuous filtration is particularly important in cleaning white or light-colored fabrics.<sup>13</sup>

If soap is used, as it frequently is, the run should be rinsed with a continuous flow of solvent until the fluid or solvent is clear. "Sometimes, unfortunately, this important step is omitted."<sup>14</sup> Should the clothes be damp, the moisture may pick up and hold some of the dry cleaning soaps. If this occurs, the fabrics will become hard and brittle.

After the clothes have been washed they are then ready for extraction. Extraction is the process by which the solvent is removed from the fabrics. Most everyone is familiar with the means by which

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12. Trimble, op. cit., p. 81.

13. Ibid., pp. 81-82.

14. Ibid., p. 82.

garments are whirled dry in some types of domestic washing machines. The centrifugal extractors used in a dry cleaning plant work on the same principle. There are several important things to be remembered in the extracting process. One of these is the length of time the garments remain in the extractor. The longer the garments are left in the extractor the greater the recovery of cleaning fluid. This also facilitates the drying of the garments. It is possible to extract garments too long. If this occurs clothes may develop wrinkles which require twice as long to remove in the finishing process. In loading the extractor, it is important to balance the load properly in order to protect the machine from excessive wear.

After extraction the garments are removed from the extractor and placed in a tumbler or a drying cabinet. In the tumbler, they are tossed about in a cylinder through which a current of warm air is forced. "This process serves a twofold purpose. It removes the petroleum odor of the solvent, and softens and fluffs the garments and removes the lint."<sup>15</sup>

After the clothes have been dried they are inspected for any spots or stains that the cleaning process did not remove. If spots or stains are found, the fabric is then spot cleaned. The spotting

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15. Ibid.

operation is one of the most important steps in the cleaning process. "The quality of the work turned out by a plant is generally no higher than the quality of the spotting work which it does."<sup>16</sup> It is necessary, therefore, to select the best equipment and a highly skilled employee for this job.

In terms of work flow, garments may come to the spotting department from the marker for pre-spotting, from the pressing department, where spots are frequently disclosed by the heat applied in pressing, from the inspection and assembly points, and from the cleaner after the garments have been extracted and dried. The spotter must decide which clothes are to be spotted and which are to be wet cleaned.<sup>17</sup> Since spotting is a tedious hand job, and wet cleaning is frequently a machine operation, the result has been a disproportionate amount of wet cleaning.

In general, there are two methods by which spots are removed from fabrics. "The first is by use of the steam gun or the water spray and the second is by use of chemicals."<sup>18</sup> There are many types and brands of spotting compounds and mixtures prepared to do special

16. Ibid., p. 83.

17. Wet cleaning will be discussed later in this chapter.

18. Trimble, op. cit., p. 84.

spotting jobs. So far as spotting equipment is concerned the steam spotting board is probably best. Caution, rather than speed, should be the consideration of the spotter.

No matter how skilled and conscientious the spotter may be, there will be instances in which wet cleaning must be done. In the case of a few types of garments, such as white and light-colored summer suits of cotton, linen, Palm Beach, and a wide variety of cotton and rayon trousers, an ordinary domestic washing machine is usually used by most cleaners. A large percentage of dresses which require wet cleaning can be handled safely only on a brushing table. "Speed is of the highest importance in this operation, as tailoring, shape, drape, and color tend to disappear if the wet cleaning process is drawn out."<sup>19</sup> This process calls for high skill and individual judgment which makes it impossible to give any set rule that will be of any value. Even if accomplished with care and skill wet cleaning is one of the most expensive operations in the plant, as well as a potential source of customer complaint.<sup>20</sup>

The finishing of garments is as important as the cleaning and spotting operations, so far as maintenance of quality is concerned.

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19. Ibid., p. 85.

20. Ibid.

This job like others in the plant requires special skill and training. Some pressers seem to have a special knack for pressing silks, for example, but no matter how easily they learn, experience is required to turn out a high quality job. Modern finishing experience suggests the use of machine pressing for most types of garments. "Skirts and long panels on dresses acquire a better appearance when finished on a steam press than when large areas of the dress are hand ironed. The gathering, shirring, trimmings, ruffles and the like around the bodice of a dress also seem to finish up more satisfactorily and to present an appearance more like that of the machine-pressed skirt if they are passed over the steam puff irons."<sup>21</sup>

The pressing of men's garments, which require a smaller variety of equipment, is a special art. For this process one guiding principle may be stated. "Breaks, wrinkles and unevenness on woolen garments should first be softened by blowing steam through them from the lower back of the pressing machine."<sup>22</sup> Once they have been softened and smoothed out, they may be pressed into their original shape. The pressing operation for all practical purposes completes the cleaning process.

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21. Ibid.

22. Ibid.

There are other minor operations, which the clothes go through before they are ready for delivery to the customer. After the garments have been pressed the presser makes notations if only minor repairs are necessary. A seamstress is usually employed for this task. These repairs cover such items as sewing on buttons, re-stitching hems, cuffs, and belt loops. Other repairs are, however, made in this process.

The next operation is that of final inspection. This is to insure the high-quality work. In many instances garments are sent back for re-pressing or re-spotting. This is one of the most important steps in insuring good customer relations.

The assembling of garments after they have been processed and inspected should be a more or less automatic operation. Although there is a technique to be learned about assembling, both the place of this operation and the method employed depend to a considerable extent on the marking department and on the flexibility or rigidity of plant schedules.<sup>23</sup> When an order is completed the assembler takes it to the bagging department, and slips on the bag. The original invoice is usually pinned or pasted on the outside of the bag. The order then goes to the store rack or to the driver's rack depending on whether the job is handled on a cash-and-carry basis or is to be delivered.

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23. Ibid., p. 86.

The last step in the plant operation is the packaging of the finished garments. Dresses, shirts and other small items may be placed in attractive boxes or wrapped in attractive paper. This, of course, appeals to the customer and makes for good relations between customer and the proprietor of the cleaning establishment.

In summing up the various plant operations it may be correct to say that all steps involved are important. They are important to the customer because it insures an adequate cleaning job on his clothes. It is also important to him that his clothes receive proper attention while under the care of the cleaner. If each step is followed carefully he will be satisfied. These steps are also important to the cleaner himself. If his employees follow the correct procedure, the work turned out by his establishment will be satisfactory to his customers. It should be remembered that the cleaner is primarily concerned with establishing himself and his business in the community in which his plant is located. As in all other businesses this can be best accomplished through his reputation for good, prompt and courteous service to his customers.

#### CHAPTER IV FIGHT FOR STATE REGULATION

As noted in a preceding chapter, the cleaning industry in Virginia reached an all-time low during the depression of the 1930's. Price wars were waged in practically every community where two or more cleaning establishments were located. In order to meet such unscrupulous competition some cleaners were forced to lower their quality of service, and in most cases sanitation standards were ignored. Labor was being exploited by the employer, and plant conditions became intolerable. Fraud became the order of the day.<sup>1</sup>

Due to these conditions agitation for state regulation of the dry cleaning, pressing and dyeing industry began in the early nineteen thirties. The leaders in this agitation were health officers and civic minded citizens, as well as public officials. The Virginia Association of Cleaners and Dyers was the center of organized agitation for state regulation. This association was instrumental in getting before the Virginia General Assembly such a bill in 1936. This bill became a law on March 27, 1936. For all practical purposes it was more or less a stop-gap measure. The law was to remain in force

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1. A Report by the Virginia Association of Cleaners and Dyers,  
June 1930.



two years, at which time it was to be re-enacted by the General Assembly. The next few months were spent setting up the necessary machinery to administer the law. The State Dry Cleaners Board authorized by the law was established in the capital building at Richmond, Virginia. The Board through the remainder of 1936-1937 operated without incident.

It is interesting that the Virginia Legislature in its law of 1936 and as amended in 1938 chose to regulate the cleaning industry through a Dry Cleaners Board. In a study made of some thirty state laws regulating the cleaning industry, the majority of these states were consistent with the Virginia plan. Other methods of regulation, however, warrant notation. California, Indiana, Michigan, Ohio and Vermont regulate the industry through the State Fire Marshal's office or some division thereof. For an example, in Indiana the industry is regulated by a Dry Cleaning Engineer under the State Fire Marshal.

Minnesota has probably the most unique law on the subject. In this state the industry is regulated through the Insurance Division of the Department of Commerce. Nebraska, New York and Pennsylvania, to name a few, regulate the industry through the Department of Labor. Colorado, New Mexico, Virginia, Wisconsin, Oklahoma and many others use a Dry Cleaners Board or Commission. The Oklahoma law, passed in

1941, was patterned after the Virginia law.<sup>2</sup>

When the 1938 General Assembly of the Virginia Legislature convened in January, its members were flooded with hoards of letters from every part of the state requesting the re-enactment of the 1936 law regulating the cleaning industry. It would be interesting to note some of these letters. A letter written by the New Vogue Cleaners and Dyer, Inc. to Delegate S. M. Chitwood, a member of the Virginia Legislature, typifies the cleaner's attitude towards the pending legislation. This letter states that "we feel this Law has done much good throughout the state in way of enforcing sanitation laws and eliminating fire hazards, and we feel the re-enactment of this Law will do much to protect the interest of the public."<sup>3</sup> Another letter written by Abe Cohen and Son, an Arlington county cleaner, to Delegate William D. Medley, a member of the general laws committee in the House of Delegates, expresses a similar view. Mr. Cohen states that "this bill will, if enacted, be of inestimable good to the general public, by putting their

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2. Oklahoma Dry Cleaners Board to Virginia Dry Cleaners Board, August 10, 1941, State Dry Cleaners Board, Richmond, Virginia. Hereafter cited as Board Papers.

3. New Vogue Cleaners to Delegate S. M. Chitwood, February 7, 1938, Board Papers.

cleaning in the hands of responsible persons, and also to the cleaning industry, by helping to stop unscrupulous competitions."<sup>4</sup>

The above letters illustrate the desire for such regulation by the people actually engaged in the cleaning and dyeing business. Such agitation for the re-enactment of the law did not stop here. A letter written to Delegate William D. Medley from Doctor Earle G. Brown, the health officer for Arlington County, reveals that office's attitude toward such regulation. To quote Doctor Brown, "my only interest in this bill is that part which pertains to sanitation and public health. It is my opinion that the bill should be re-enacted because it does prescribe measures which protect the public health."<sup>5</sup>

Another important aspect of the law dealing with fire prevention is revealed by Fire Chief L. F. Mitchell of Danville, Virginia. These regulations, however, are imposed on the builders of new cleaning establishments. Chief Mitchell in a letter to Delegate Bandy, chairman of the General Laws Committee in the House of Delegates, says that he has "worked with and inspected plants...with Deputy Fire Marshal, Mr.

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4. Abe Cohen and Son to Delegate William D. Medley, February 7, 1938, Board Papers.

5. Dr. E. G. Brown to Delegate William D. Medley, February 15, 1938, Board Papers.

Steiner of Richmond, Virginia, and with this law being in effect, we have been able to remove quite a few fire hazards, which previous to the enactment of such law, would have been unable to touch."<sup>6</sup> Needless to say Chief Mitchell was in favor of such regulation.

Probably the most significant letter of this nature was received by Delegate S. Ray Barrett from Mr. John M. Arnold, commonwealth attorney for the city of Norfolk. Mr. Arnold says, "I have prosecuted violators of the act entitled: 'An act to regulate the business of cleaning, dyeing and pressing', and also had to defend its constitutionality. I am fully conversant with its provisions and objectives and consider it a good remedial law. It should, in my opinion, remain the law in this State."<sup>7</sup>

At this point one may ask what was the attitude of the general public to such regulation? For the answer to this question we may turn to the newspaper, which as a rule reflects the majority opinion of the public. Some of the leading papers in Virginia were strong supporters of the pending bill; whereas others did not seem as much in favor. In a letter to Delegate Medley, Richard M. Smith, of the

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6. L. F. Mitchell to Delegate Bandy, February 15, 1938, Board Papers.

7. J. M. Arnold to S. Ray Barrett, February 10, 1938, Board Papers.

Arlington Courier, expressed that paper's wish for the re-enactment of the law and ask Mr. Medley to write a weekly column about the progress of the bill in the General Assembly for the editorial section.<sup>8</sup>

The Danville Register, on the other hand, referred to the bill as just another regulatory agency. This editorial went on to say that this type of regulation was forcing the smaller establishments out of business.<sup>9</sup>

The bill to re-enact the 1936 law, with amendments, was finally approved by Governor Price on April 1, 1938. The acceptance of this law on the part of the cleaning industry and the public has been accomplished through the careful and wise planning of the State Dry Cleaners Board, the administrative authority of the law.

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8. R. H. Smith to Delegate William D. Medley, February 8, 1938, Board Papers.

9. Danville Register, March 18, 1939.

CHAPTER V  
THE STATE DRY CLEANERS BOARD

The overall purpose of the law is to regulate the business of cleaning, dyeing and pressing of garments within the state of Virginia. The law is specifically concerned with protection of the public and to some extent the dry cleaner. To administer the law a State Dry Cleaners Board was established, which will be discussed in detail in this chapter.

In order to understand more clearly the provisions of the act concerning the Board it would suffice at this point to examine the various words and phrases, as stated in the act. "'Board' shall mean the State Cleaners Board created by this act for the regulation of the cleaning, pressing and dyeing business. 'Persons' shall mean any person, firm, corporation or association. 'Cleaning, dyeing and pressing business' shall mean the operation of any establishment, plant, office, store or vehicle when dry cleaning...dyeing, spotting or finishing any fabric are performed or rendered for a price...and shall include the acceptance and transportation of any clothing or other fabric to be cleaned, pressed or dyed, whether such service shall be rendered by the persons so accepting or transporting such fabrics or by others."<sup>1</sup>

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1. Dry Cleaning Act, Reprint from Acts of Assembly 1938, p. 1.

The very heart of the law is found in section two which creates the State Dry Cleaners Board. This board shall consist of five members to be appointed by the Governor before July 1, 1938. Three of these shall have been engaged in cleaning, dyeing and pressing business in Virginia for at least three years preceding their appointment. The remaining two members shall be from the public at large and not in any way connected with the cleaning, pressing and dyeing business.<sup>2</sup> In actual practice one of these two members represents labor, the other represents the public. "One of the members of the board shall be appointed for one year, two for terms of two years and two for terms of three years, and subsequent appointments shall be for terms of four years each, except appointments to fill vacancies which shall be for the unexpired terms...."<sup>3</sup> The law also requires that each subsequent appointee shall have the same qualifications as his predecessor in office. Board members receive, for their services, \$10 for each day while attending board meetings and their necessary traveling expenses.<sup>4</sup> The board's officers are prescribed by the law which states that the "board shall elect one of its members as chairman

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2. Ibid., section 2, p. 2.

3. Ibid.

4. Ibid.

and one of its members as vice-chairman."<sup>5</sup> The board is also authorized to adopt a set of rules and by-laws to govern its organization and proceedings. The board is further authorized to appoint a secretary, who need not be a member of the board, and such clerks, inspectors and other assistants as it may deem necessary, and so fix their duties, compensation and terms of service. The board may also employ such lawyers as may be needed with the approval of the Attorney General.<sup>6</sup>

The functions, duties and powers of the board are outlined in section three of the Dry Cleaning Act. The most important of these is the power "to adopt and promulgate such rules and regulations as may be necessary to control and regulate the cleaning, dyeing and pressing business"<sup>7</sup> in Virginia. This power is limited, however, to "a) identification to the public of all persons, firms, corporations or associations licensed by the board to engage in said business as well as their agents or representatives; b) prohibition of false or misleading statements, advertisements or guarantees either in form or content; c) form of application required by board for license and form of license

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5. Ibid.

6. Ibid.

7. Ibid., section 3, p. 2.



issued by board."<sup>8</sup> This gives the board a quasi-legislative or rule making power which is found in many governmental regulatory agencies. This, of course, leaves room for flexibility which is desirable in any branch or agency of the government. The board is also authorized to hold hearings when the plaintiff claims that he has been injured through the administration of the law or by the rules set forth by the board. This power is most commonly referred to as a quasi-judicial power. This power is most commonly exercised by the board in regard to the issuance of licenses, which is another of its powers. "The board may decline to grant a license, or may suspend or revoke a license already granted after due notice and after hearing, on the grounds of any violation of the provisions of this act or the rules and regulation promulgated"<sup>9</sup> by the board in pursuance of the law. Any person, however, to whom a license has been refused, or whose license has been revoked or suspended, has the right to appeal from the board's decision to any circuit court or any corporation court of the city or county in which his place of business is located.<sup>10</sup>

All persons operating cleaning, dyeing and pressing plants at

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8. Ibid.

9. Ibid.

10. Ibid.

the time this act was passed were entitled to have issued to them a license upon the payment of the license fee as required by the law.<sup>11</sup> All persons, however, who after this date apply for license and were not in business at the time the bill became a law, may be required by the board to comply with such reasonable standards and requirements as it may deem necessary for the protection of the public health and safety as a prerequisite to obtaining such license.<sup>12</sup> Licenses issued by the board are valid for a period of one year, unless sooner revoked or suspended by the board. The annual fee for such license is on a graduated scale based on the gross receipts of the business. If the entire gross amount of business done by any such person during the preceding year does not exceed twelve thousand dollars, said fee is ten dollars, if the gross amount of such a business exceeds twelve thousands, the fee is ten dollars plus one dollar per thousand over twelve thousand dollars. The total fee, however, cannot exceed forty dollars.<sup>13</sup> Section six of the act empowers the board to impose fines upon persons whom it finds to be violating the law. The fine is not to be "less than \$10, nor exceeding \$100, and each day

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11. Ibid., section 7, p. 4.

12. Ibid., section 3, p. 3.

13. Ibid., section 4, p. 3. .

during which this violation shall continue shall be deemed a separate offense."<sup>14</sup>

Other duties of the board are to assist in the enforcement of fire, sanitation, labor and any other laws applicable to the industry, and to require reports specified by law for this purpose. Last of these powers and duties is "to act for the purpose of this act, as a competent authority in connection with matters pertinent thereto."<sup>15</sup>

Section two of the act authorizes and empowers the board to incur any and such expenses it deems necessary for the administration, enforcement and to effectuate the purpose of the act.<sup>16</sup> Section five states that "all funds collected by the board as provided in the act shall be paid to the State treasury and are hereby appropriated to the said board for the purpose of this act."<sup>17</sup> The board is limited here to the issuance of license as its only course of revenue. In 1945 the total collections of the board were \$8,971.00; its expenditures for the same year were \$8,383.61.<sup>18</sup> These collections in the past

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14. Ibid., section 6, pp. 3-4.

15. Ibid., section 3, p. 3.

16. Ibid.

17. Ibid., section 5, p. 3.

18. 1945 Report of Dry Cleaning Board to Governor Darden.

two years have shown notable increase.

The payments of debts incurred by the board are made by the Treasurer of Virginia on warrants of the comptroller issued on vouchers signed by the chairman of the board, or such persons designated by the board for that purpose.<sup>19</sup> It may be interesting to note that the State Dry Cleaner's Board is one of the very few governmental regulatory agencies that is financed wholly through its own efforts.

As we have noted above, the board is authorized by the act, to adopt and promulgate any rules and regulations it deems necessary to control and regulate the cleaning, dyeing and pressing business, within certain specified limits. In pursuance of this authority the board has adopted a rigid set of standards as to fair competition, as well as building and equipment requirements. Probably the most important of the above is the building and equipment requirements. The building requirements or standards have as their objectives the prevention of loss of property due to fire and explosions. Some of the main topics covered in these regulations warrant a brief discussion. The location of the building in which the cleaning plant is to be established is subjected to strict regulation. The regulation, as far as possible, prevents plants from being constructed in congested areas. If an

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19. Dry Cleaning Act, op. cit., section 5, p. 3.

explosion occurred in a cleaning plant, loss of property could be kept to a minimum by the precaution.

The structure of the building in which the plant is located is also regulated. The cleaning room, for an example, must be separate from the rest of the plant. A fire door must be between this room and the remainder of the plant. The ventilation of this room is also prescribed by the regulation. The size of the fans is based on the cubic feet of the room. This is a very important aspect of such safety regulation. All lighting fixtures must be air tight. This is to prevent cleaning fluid vapor from coming into contact with an electrical spark which may cause an explosion. Heating requirements prescribe steam heat in preference to electrical equipment. The power used to operate the plant is also subject to strict regulation. No open electrical motor may be used. If electrical power is used such equipment must be of the explosive proof type. If steam boilers are used for power they shall be located when possible in a detached building. When these boilers are located in the same building and adjoining the cleaning room the boiler room shall be cut off by an unpierced brick wall at least twelve inches thick.<sup>20</sup>

The equipment requirements promulgated by the Board cover a

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20. Official Bulletin of State Dry Cleaners Board, pp. 7-8.

number of things. Such rules prescribe the method by which solvent tanks shall be placed in the ground. These tanks must be a minimum of three feet under ground with a vent pipe extending ten feet above the ground. Purifiers are required to be placed as close as possible to the washer and shall be limited to a 350 gallon capacity and in no event exceeded in capacity any storage tank to which it may connected. Clarifiers shall not be run at a speed in excess of that prescribed by the manufacturer. Steam-driven clarifiers shall be equipped with approved governors. The filters used between the various washers must also be approved by a Board Inspector.

All pipes connecting the various pieces of equipment are required to be connected in accordance with the National Fire Protection Association's Suggested Ordinance for Flammable Liquids. All such piping must be tested to a pressure of at least fifty pounds and proved tight and otherwise protected against mechanical injury.

The Board has also outlined the type of fire extinguisher that is to be placed in the various rooms of the plant. These must be approved extinguishing devices of a type suitable for use on oil fires. One of these shall be provided for every room or area where flammable liquids are stored or used. These extinguishers may be hand operated or, if necessary, wheeled extinguishers depending upon the size of the

of the plant. This regulation also requires that each washing machine be equipped with an approved extinguisher, arranged to operate automatically or by remote control.<sup>21</sup> The operating requirements set forth by the board have as their primary purpose the prevention of fires and explosions during the cleaning process.<sup>22</sup>

As a service to the licensed cleaners the board acts as arbitrator in disputes between cleaners, consumers and merchants over loss or damage to clothing alleged to have been done by the cleaner. If in doubt as to the cause of the damage the board as a rule sends a sample of the damaged fabric to the National Bureau of Standards in Washington, D. C. for examination and analysis. These three groups, with few exceptions, are now on excellent terms because of the board's impartial handling of these disputes.<sup>23</sup> The board also passes on to the cleaners in Virginia any information available to it on new methods of cleaning and equipment.

The 1936 act provided that the act "shall apply in all cities, and in any counties when two-thirds of the resident persons actively engaged in the cleaning, dyeing and pressing business in such counties petition

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21. Ibid., pp. 8-10.

22. Ibid., pp. 11-12.

23 . 1945 Board Report, op. cit.

the State Dry Cleaners Board to be entitled to the benefits of this act and such counties shall be governed by this act."<sup>24</sup> This section of the 1936 act was incorporated in the 1938 law and is in force at present.<sup>25</sup>

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24. Dry Cleaning Act, op. cit., p. 1.

25. See page 62.



## CHAPTER VI THE VALIDITY OF THE LAW

Since 1936 the constitutionality of the law to regulate the cleaning, dyeing and pressing business has been in question twice. The first of these cases, *Commonwealth vs. Ricks*, came before the corporation court of Norfolk in January 1937. The plaintiff contented that the law was "1) an unreasonable invasion of private business, 2) it gives arbitrary power to a board created by the act and 3) it is discriminatory, and not uniform."<sup>1</sup> The plaintiff in presenting his argument to the court cited the case of *Becker vs. State* which reached the Delaware Supreme Court in 1936. Chief Justice Laytan, delivering the majority opinion of the court, held a cleaning, pressing and dyeing act of that state to be unconstitutional. This Delaware act, however, goes much further than the Virginia act. Chief Justice Laytan found that the Delaware law did not foster public health or generally the public welfare but on the contrary was used by the various cleaners of that state to maintain prices.

Another case, *Reaves Warehouse vs. Commonwealth*, 141 Virginia 194, may be cited. In this case the question at bar was the validity of a law which placed certain restrictions on the sale of tobacco. The counsel

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1. *Commonwealth vs. Ricks*, Board Papers.

for the plaintiff in this case stated that it is pertinent and proper for the court to inquire into the true purpose of the act in question and ascertain if it is a valid exercise of the police power of the state or whether it is an arbitrary interference with private business or whether it imposes unusual and unnecessary restrictions upon a lawful occupation, or invades property rights. The court, in this case, found the law to be valid of the police power, and the law was not an arbitrary interference with private business. Justice Prentis delivered the opinion of the court.<sup>2</sup>

On the second point in question the act gives the board power to decline or to grant license. The plaintiff, however, has the right to appeal to a Court of Record. This right of appeal, according to the court, certainly precludes such action of the board from being arbitrary. This point was decided upon in the case of Richmond vs. Model Steam Laundry, 111 Virginia 758.<sup>3</sup>

The third point to be considered is that of discrimination. The plaintiff, as stated above, claimed that the law is special, discriminatory and not uniform. The court's reasoning on this point brought out the fact that the cleaning and pressing business is obviously more

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2. Ibid.

3. Ibid.

urban than rural, but it is hard to see any distinction in the conditions of such business in some of the smaller cities and some of the larger towns. On this point the court quoted Justice Dillion who delivered the opinion of the court in the case of Anthony vs. Commonwealth 142 Virginia 577. According to Dillion "the Legislature may determine what difference of class...the presumption is always in favor of the legislative command, and it must prevail unless clearly transgressing the constitutional prohibition. The test is not wisdom but good faith in the classification."<sup>4</sup> As a result of these findings Judge R. B. Spinale found the act to be constitutional on all three points.<sup>5</sup>

The next of these two cases, Commonwealth vs. Davis came before the corporation court of Danville in January 1939. The plaintiff is engaged in the cleaning and pressing business in the city of Danville. The law as we have seen above shall include all cities and those counties in the state which shall qualify under the law. Davis claimed that the law is arbitrary and discriminatory, therefore it denies equal protection of the law. Judge Leigh said in delivering the opinion of the court, "I think that it is reasonable classification to impose certain restrictions upon those doing a similar business in rural districts."<sup>6</sup>

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4. Ibid.

5. Ibid.

6. Commonwealth vs. Davis, Board Papers.

Judge Leigh in developing his reasoning said that "the opportunity for fraud is greater in a large community, than in a smaller one. There is now practically no such thing as unreasonable classification."<sup>7</sup> The second question in the case arose over the fact that Davis refused to pay the license fee as required by the act. At this point it should be noted that in section three of the act it is provided that all who obtain a license under the act except those eligible under section seven may be required to comply with reasonable standards and requirements. Section seven provided that all persons who were engaged in the dry cleaning business at the time the act became effective shall be entitled to a license upon the payment of the required fee.

Davis qualified for a license under section seven of the act and was therefore not denied a license, but he simply refused to pay the fee as required by the law. On this point Judge Leigh said that he did not think that Davis could successfully contest the constitutionality of the act. He further stated that "so far as the application of the act affects the plaintiff the law is constitutional."<sup>8</sup>

As noted in Chapter IV the Oklahoma law regulating the cleaning, dyeing and pressing business in that state was patterned after the

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7. Ibid.

8. Ibid.

Virginia law. Because of this fact it would be of interest to discuss the case of *The Jack Lincoln Shops, Inc. vs. State Dry Cleaners Board* which was filed in the Supreme Court of Oklahoma on January 26, 1946. This case, as the two cases discussed above, involves the constitutionality of the law regulating the business of cleaning, dyeing and pressing of clothes. The plaintiff, *The Jack Lincoln Shops, Inc.*, which was engaged in the cleaning business in Oklahoma City, but without license as required by the act, sued to enjoin the enforcement of the act. From a judgment denying the injunction, in the District Court of Oklahoma County, the plaintiff appealed. The act created a State Dry Cleaners Board; "defines its duties and powers; authorizes the board to issue annual licenses and to revoke the same; fixes the annual license fee at from \$3.00 to \$40.00, based upon the volume of business done;...makes it a misdemeanor to engage in such business without a license."<sup>9</sup>

The plaintiff contended "that the act violated the due process clauses of the state (section 7, article 2) and the federal (14<sup>th</sup> amendment) constitutions."<sup>10</sup> The plaintiff also contended that it violates section 2, article 2 of the state constitution which provides that "all persons have the inherent right to life, liberty and the

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9. *The Jack Lincoln Shops, Inc. vs. State Dry Cleaners Board*, Board Papers.

10. Ibid.

pursuit of happiness, and the enjoyment of the gains of their own industry."<sup>11</sup> The plaintiff further contended that the cleaning, dyeing and pressing business is a lawful legitimate, private one and that while there are many abuses in it which maybe remedied by appropriate regulation, the law goes too far.

To substantiate such contentions the plaintiff cited the following cases; "Kent Stores vs. Wilentz, (1936) 14f. Supp.1, (New Jersey Statute); Becher vs. State. (1936) 37 Del. 454, 185 Atl.92, and State vs. Harris (1940) 216 N. C. 746, 6S. E. 2d 854, 128 A. L. R. 653...."<sup>12</sup> The Supreme Court in delivering its opinion on the case brought out the fact that the decisions in the North Carolina, Florida and Delaware cases, above, were by divided courts. An examination of the majority and dissenting opinions in these cases discloses that those sustaining such legislation are based upon the decisions of the United States Supreme Court dealing with the due process clause, such as *Nebbia vs. New York* and *West Coast Hotel Co. vs. Parrish*. In affirming the judgment of the District Court the Supreme Court continued by saying that the business is affected with a public interest and therefore, comes under the police power of the state. The question as to what businesses are affected with a

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11. Ibid.

12. Ibid.

public interest, "so as to be subject to regulation under the police powers...and the means best adopted to regulate them..., are primarily legislative questions, and the courts should indulge every possible presumption in favor of such statutes, and will not strike them down as being violation of substantive due process unless they are clearly irrelevant to the policy the Legislature may adopt...."<sup>13</sup> The court also found the law not to be unreasonable, arbitrary or discriminatory.

It is also interesting to note that the court stated that "the inherent right to 'life, liberty, the pursuit of happiness, and the enjoyment of the gains of their own labor' guaranteed to the people by section 2, article 2 of the state constitution is subject to reasonable regulation in the exercise of the police power."<sup>14</sup>

Such laws in some other states have not withstood such constitutional test, the first Florida law regulating the cleaning business being declared unconstitutional.

The idea of separability is found in section nine of the Virginia act. This section states that "if any clause or section of this act shall be declared unconstitutional, or invalid for any reason, before a court of competent jurisdiction of this State, the remaining portions

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13. Ibid.

14. Ibid.

of this act shall be deemed in force and valid as if such section or clause had not been incorporated herein."<sup>15</sup> From a legal point of view this is very important. Among other things such a section makes for a more stable law, and to a great extent, enhances the possibility of better regulation by the State Dry Cleaners Board.

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15. Dry Cleaning Act, op. cit., section 9, p. 4.



CHAPTER VII  
THE VALUE OF REGULATION

There have been many attacks on the Virginia law regulating the cleaning industry on the score of its usefulness. Most of these, however, seem to be motivated by the fear of State interference into the realm of private business. This is only natural and is to be expected. Anticipating such attacks the State Dry Cleaners Board has endeavored to educate the public, as well as the cleaner, in the importance of its work. Private organizations, and in some instances newspapers, have aided the State Dry Cleaners Board in its educational program.

The State Dry Cleaners Board being the regulatory agency, as well as the administrative authority of the law, is the center of activity. The various rules promulgated by the board protect the consumer in numerous ways. The board identifies to the public all persons, firms, corporations and associations licensed by it, as well as their representatives through display of the name in which the license is issued together with the State License Number. The cleaner's route salesmen are also identified by a non-transferable card issued by the Board. This leaves little opportunity for fraud, which in past years played upon the public.

Before a new cleaning establishment can be established applications for license must be made to the Board, at which time each application

is carefully checked. Through this rigid investigation irresponsible people are discouraged from applying for cleaning license. This is another of the many ways in which the public is protected by the law regulating the cleaning industry.

Public health is also protected through regulations imposed upon cleaners in the handling of clothes. At no time during the cleaning process do clean and soiled garments come in contact with each other. This, of course, is a very important service to the public. The health of the employees of the various cleaning firms is also protected by the Board. This is achieved primarily by enforcing existing sanitation and labor laws.

The Board also prohibits false or misleading statements, advertisements or guarantees used to defraud the public by the cleaner. The Board has rules against the publication, or the broadcasting of any untrue, deceptive or misleading statements in connection with the sale of cleaning, dyeing or pressing services. The Board in several instances has brought about the enforcement of the Virginia Advertising law which prohibits such false statements.

Fires and explosions in cleaning plants throughout the state have shown a noticeable decline in recent years. Other states have not been so fortunate as Virginia in this particular. An explosion in a Greenville, South Carolina cleaning plant on November 20, 1946, killed six

employees and injured over 150. The cleaning plant was a total loss, and 70 other houses and building were destroyed or damaged.<sup>1</sup> Similar incidents have occurred in other states. The State Dry Cleaners Board has set forth building codes, equipment and operation requirements which have reduced to a minimum such unfortunate events.

The Board's role as arbitrator in disputes between cleaners, consumers and merchants over lost and damaged clothing and other fabrics, has proven highly successful. Probably the most outstanding point in favor of this agency is that it is self supporting.

There are also arguments against such regulation. The majority of the Board members, as prescribed by the act, are engaged in the cleaning business. As a result of such an arrangement the Board may favor the cleaner in settling disputes between the cleaner and the consumer of cleaning services. The Board is also given quasi-legislative and quasi-judicial powers which many people dislike. Through the Board's quasi-legislative power it may promulgate rules and regulations which may not be to the advantage of the majority of the cleaners. Such rules may even interfere with a person's inherent right to conduct his business as he wishes. If the Board insists on enforcing such regulations it may do so through the exercise of its quasi-judicial

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1. Richmond Times Dispatch, November 21, 1946.

power. It should be noted, however, that cleaners who have suffered injury through such arbitrary action on the part of the Board have recourse in the courts.

As mentioned above, some people contend that this type of regulation has forced the smaller operators out of business. This is, of course, a questionable complaint. Others contend that the law is discriminatory and not uniform. This particular point was settled by the court in the case of Commonwealth vs. Ricks as stated above.

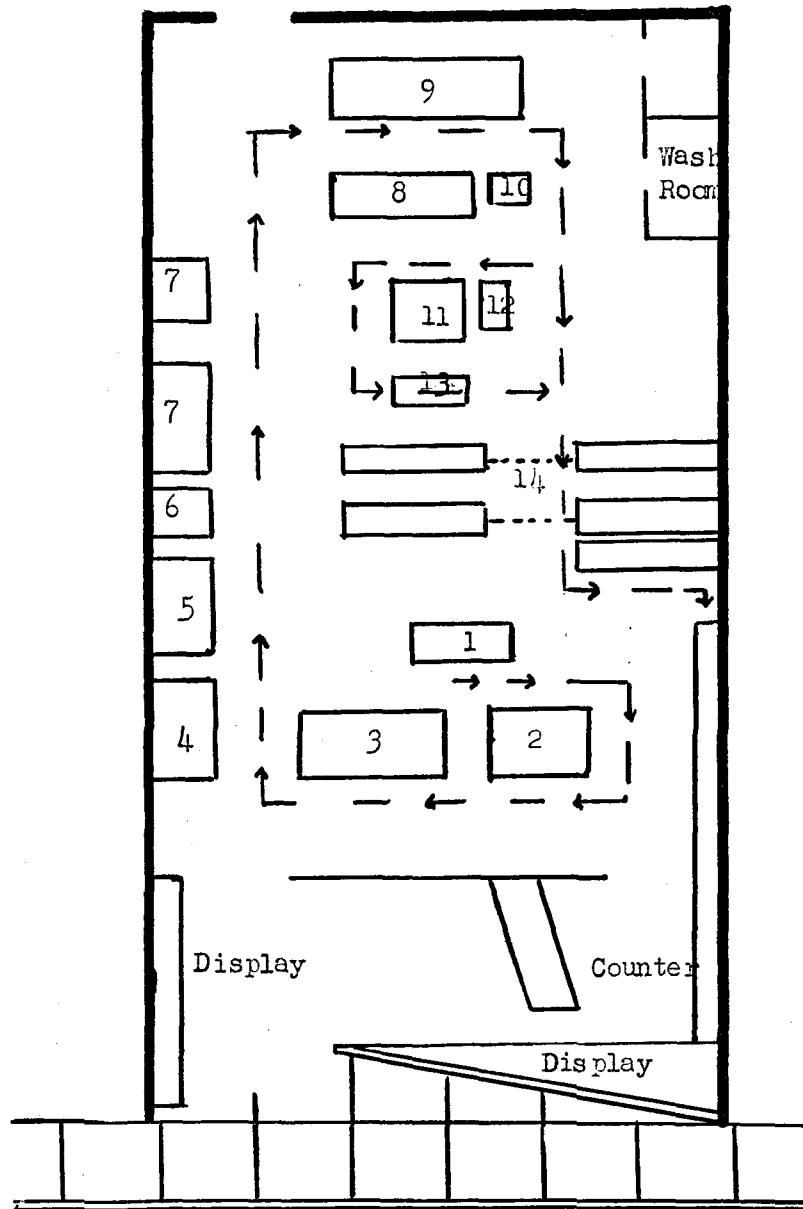
It would be naive to suggest that the law regulating the cleaning industry and the State Dry Cleaners Board is free of faults. Numerous ways of increasing its efficiency, as well as prestige, could be mentioned. Perhaps the greatest handicap is the lack of personnel to administer the law. At the present time the Board employs only two full time employees, the Board Secretary and a typist. The Board members receive little in the way of money for their efforts and have, therefore, delegated much of their authority to the Board Secretary. The Board Secretary being the official representative of the Board is unable to perform adequately all the duties imposed upon him. As a result some important issues receive little attention.

As pointed out above the Board can only spend up to the amount collected by it for licenses. Fines imposed upon cleaners by the Board are paid into the general fund. This limitation has on numerous occasions hindered adequate regulation. If the Board had more money,

trained inspectors could be employed which would facilitate the regulation by the Board. A Research Section would also help, but without additional money it is impossible at present.

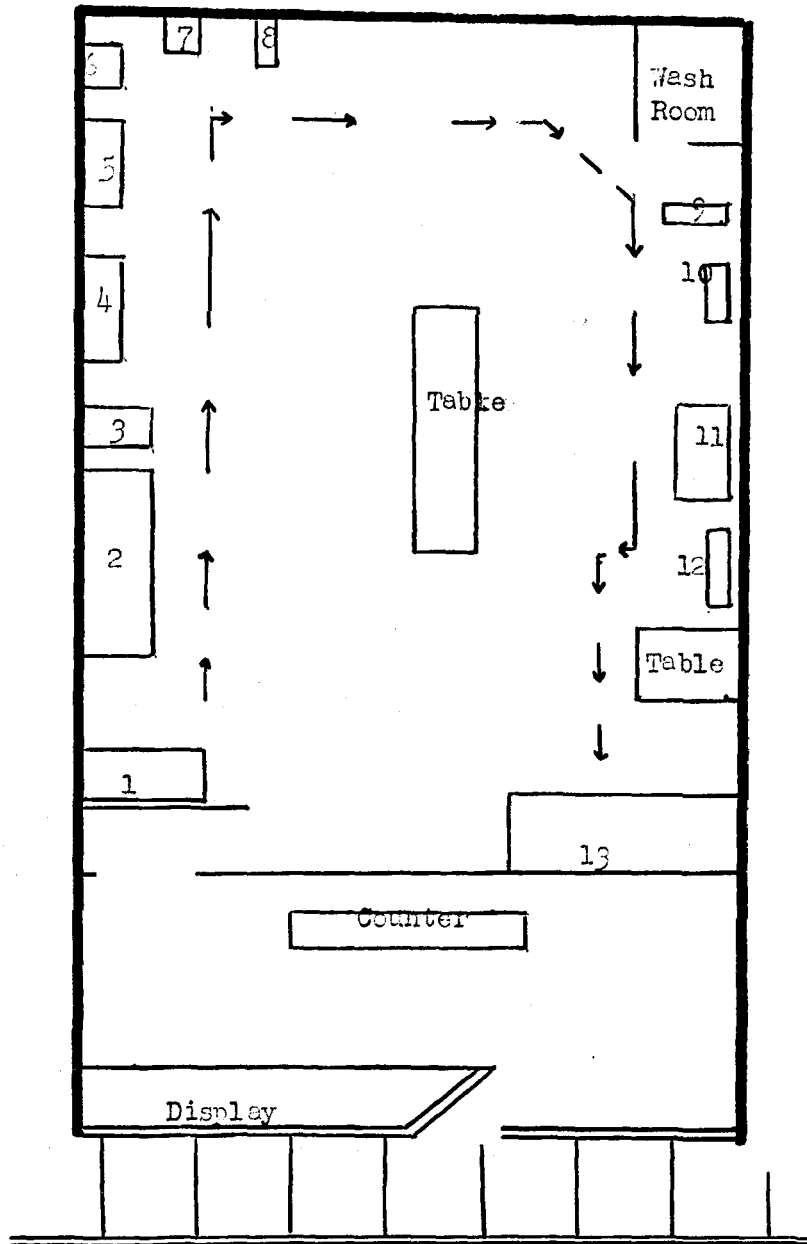
It has been suggested that if the Board were given jurisdiction over all cleaning establishments in the State it could regulate the industry more satisfactorily. At the present there are many counties which have not petitioned the board for regulation. The cleaners in these counties have in many instance rendered inadequate services, and waged price wars with cleaners in regulated counties. Such action has brought public disfavor and has given the industry a black eye.

Even with these handicaps it is my opinion that the act and the Board created by the act have rendered to the public and to the cleaner a valuable and indispensable service. With a society as complex as ours such regulation is mandatory to insure adequate and honest service to the public.



Flow Chart for Synthetic-Solvent

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|-----------------------|-----------------------|
| 1. Marking Department | 8. Wool Pressing      |
| 2. Predrying Dept.    | 9. Silk Pressing      |
| 3. Cleaning Equip.    | 10. Inspection Table  |
| 4. Spotting Dept.     | 11. Assembly Dept.    |
| 5. Wet Cleaning Dept. | 12. Subassembly Dept. |
| 6. Drying Dept.       | 13. Bagging Dept.     |
| 7. Repair Dept.       | 14. Finished Garments |



Flow Chart for Petroleum-Solvent Plant

- |                       |                    |
|-----------------------|--------------------|
| 1. Marking Department | 7. Wind Dryer      |
| 2. Dry Cleaning Unit  | 8. Spotting Dept.  |
| 3. Scrub Table        | 9. Hand Ironing    |
| 4. Wet Cleaning Dept. | 10. Puff Iron      |
| 5. Rinse Tub          | 11. Steam Pressers |
| 6. Extractor          | 12. Repair Dept.   |
| 13. Finished Garments |                    |

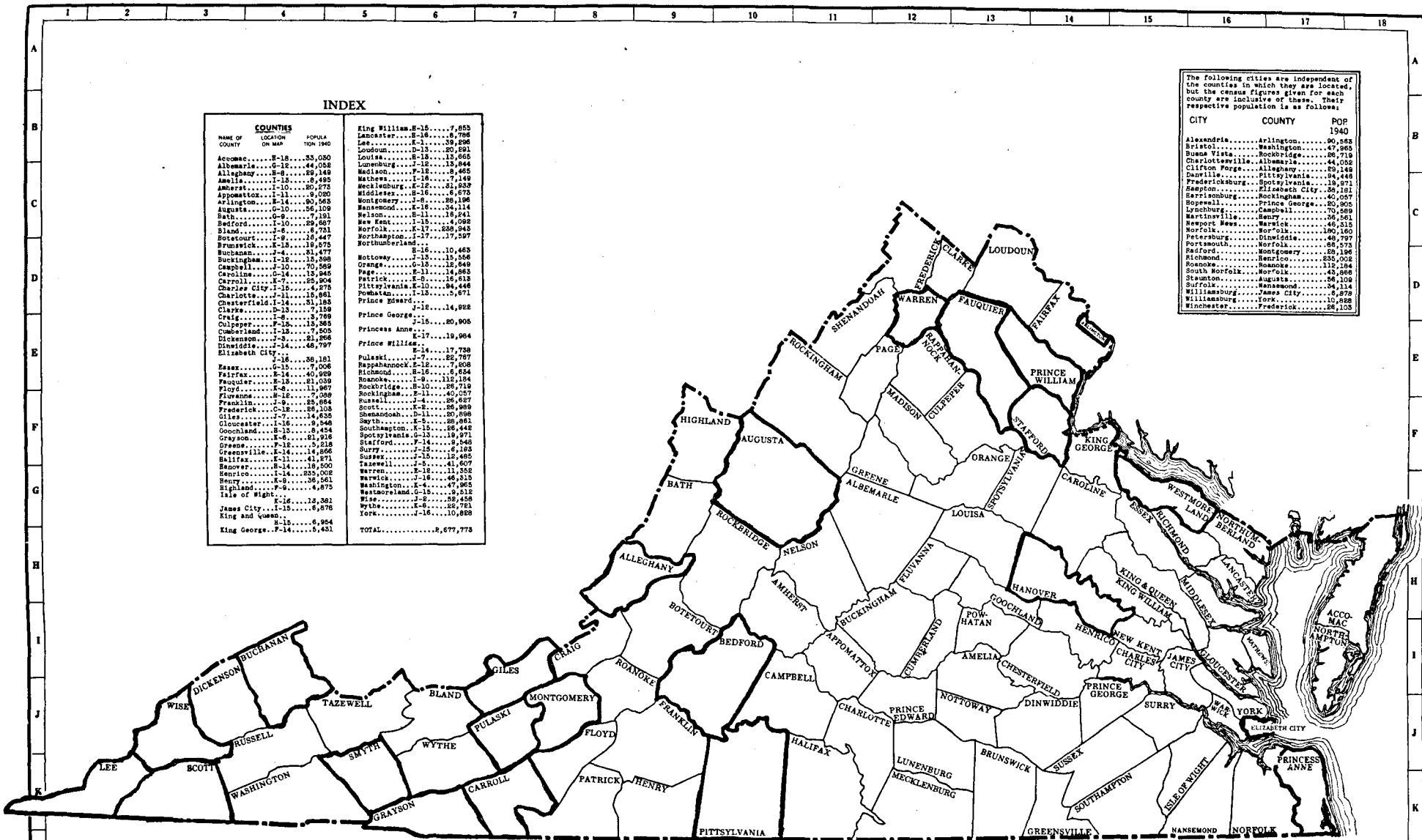
# INDEX

COUNTIES					
NAME OF COUNTY	LOCATION ON MAP	POP. 1940	NAME OF COUNTY	LOCATION ON MAP	POP. 1940
Accomac.....	H-12.....	35,030	King William.....	H-15.....	7,855
Albemarle.....	G-12.....	44,052	Lancaster.....	H-18.....	6,708
Alleghany.....	H-8.....	89,149	Lee.....	F-11.....	38,896
Amherst.....	I-10.....	80,273	Louisiana.....	H-18.....	15,005
Appomattox.....	I-11.....	9,020	Lunenburg.....	J-12.....	13,844
Arlington.....	H-14.....	80,565	Madison.....	F-12.....	8,465
Augusta.....	G-10.....	56,109	Mathews.....	I-16.....	7,149
Bath.....	G-9.....	7,101	Mecklenburg.....	K-12.....	81,837
Bedford.....	I-10.....	29,687	Middlesex.....	H-16.....	6,673
Bland.....	F-8.....	8,731	Montgomery.....	J-8.....	28,196
Bota Court.....	I-8.....	19,447	Nampanom.....	E-18.....	54,114
Brunswick.....	K-13.....	19,675	Nelson.....	H-11.....	16,241
Buchanan.....	E-14.....	81,477	New Kent.....	I-15.....	4,092
Buckingham.....	I-12.....	15,898	Norfolk.....	K-17.....	289,945
Capitol.....	J-10.....	70,589	Northampton.....	I-17.....	17,257
Caroline.....	G-14.....	15,945	Northumberland.....	E-16.....	10,463
Carroll.....	K-7.....	25,904	Notoway.....	J-13.....	15,356
Charles City.....	I-15.....	9,275	Orange.....	G-13.....	18,649
Charlotte.....	J-11.....	15,861	Page.....	E-11.....	14,863
Chesterfield.....	I-14.....	51,183	Patrick.....	K-8.....	16,618
Clarke.....	D-13.....	7,139	Pittsylvania.....	K-10.....	84,446
Craig.....	I-8.....	3,789	Powhatan.....	I-13.....	5,671
Culpeper.....	F-13.....	19,965	Prince Edward.....	J-12.....	14,922
Cumberland.....	I-13.....	7,505	Prince George.....	J-15.....	80,905
Dickenson.....	J-3.....	81,296	Princess Anne.....	K-17.....	19,964
Dinwiddie.....	J-14.....	46,787	Prince William.....	E-14.....	17,738
Elizabeth City.....	I-16.....	56,181	Pulaski.....	J-7.....	82,707
Essex.....	G-15.....	7,006	Richmond.....	E-12.....	7,808
Fairfax.....	E-14.....	40,029	Rockbridge.....	H-16.....	6,854
Fauquier.....	E-15.....	81,039	Roanoke.....	I-9.....	112,184
Floyd.....	K-8.....	11,987	Rockingham.....	B-10.....	28,719
Franklin.....	H-12.....	7,389	Rocky Mount.....	F-11.....	40,037
Frederick.....	G-12.....	28,103	Russell.....	J-4.....	25,627
Giles.....	J-7.....	14,835	Shenandoah.....	D-11.....	80,898
Glooucester.....	I-16.....	9,546	Smyth.....	K-5.....	28,681
Goocland.....	H-10.....	9,454	Southampton.....	K-15.....	28,442
Grayson.....	K-6.....	21,916	Spotsylvania.....	G-13.....	19,971
Greene.....	F-12.....	5,218	Stafford.....	F-14.....	9,546
Greenup.....	E-14.....	14,866	Surry.....	J-15.....	6,283
Halifax.....	K-11.....	41,271	Sussex.....	J-15.....	12,485
Hanover.....	H-14.....	19,500	Tazewell.....	J-8.....	41,607
Henrico.....	I-14.....	235,002	Warren.....	E-16.....	11,352
Henry.....	K-8.....	26,561	Washington.....	K-4.....	47,965
Highland.....	F-8.....	4,875	Westmoreland.....	G-15.....	9,512
Isle of Wight.....	E-16.....	12,361	Wythe.....	E-2.....	38,458
James City.....	I-15.....	6,876	York.....	K-6.....	22,721
King and Queen.....	E-15.....	6,954			
King George.....	F-14.....	5,421			

TOTAL.....2,677,773

The following cities are independent of the counties in which they are located, but the census figures given for each county are inclusive of these. Their respective population is as follows:

CITY	COUNTY	POP. 1940
Alexandria.....	Arlington.....	90,562
Bristol.....	Washington.....	47,965
Buena Vista.....	Rockbridge.....	56,719
Charlottesville.....	Albemarle.....	44,052
Clifton Forge.....	Alleghany.....	53,149
Danville.....	Pittsylvania.....	94,446
Fredericksburg.....	Stafford.....	19,971
Hampton.....	Elizabeth City.....	56,181
Harrisonburg.....	Rockingham.....	40,037
Hopewell.....	Prince George.....	80,905
Lynchburg.....	Campbell.....	70,589
Martinsville.....	Bedford.....	29,687
Newport News.....	Warwick.....	46,315
Petersburg.....	Stafford.....	19,971
Portsmouth.....	Norfolk.....	289,945
Radford.....	Montgomery.....	28,196
Richmond.....	Henrico.....	235,002
Roanoke.....	Roanoke.....	112,184
South Norfolk.....	Norfolk.....	43,968
Staunton.....	Augusta.....	56,109
Suffolk.....	Norfolk.....	54,114
Williamsburg.....	James City.....	6,876
Winchester.....	Frederick.....	28,103



## CLEARTYPE County Outline Map OF VIRGINIA

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Counties Covered by the  
Law as of July 1, 1949



Scale of Miles  
0 10 20 30 40 50



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Interview with Joseph Smith, Virginia Department of Labor and Industries.

Interview with Stewart H. Woody, Labor Representative on Virginia State Dry Cleaner Board 1938-1949.

## II. Letters

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John M. Arnold to Delegate S. Ray Barrett. State Dry Cleaners Board; Richmond, Virginia, February 10, 1938.

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## III. Newspapers

Alexandria Gazette, September 28, 1937.

Danville Register, March 18, 1939.

Conard Blount Mattox, Jr. was born in Gretna, Virginia January 19, 1923, the son of Conard Blount Mattox, Sr. and Carrie White Bridges Mattox. He attended the public schools of that town and was graduated from Gretna High School in June 1941.

In September 1941 he enrolled in the University of Richmond where he continued his studies until January 1943, at which time he entered the United States Army Air Force as an aviation cadet. In June 1944 he was graduated from the Western Flying Training Command's Pilot School at La Junta, Colorado and was commissioned a second lieutenant. During the remainder of 1944 and until November 1945 he served in the Southwest Pacific Area with the Fifth Air Force. From December 1945 until his discharge from the Air Forces in February 1947 he served in the Strategic Air Command's Headquarters in Washington, D. C..

In February 1949 he returned to the University of Richmond to continue his education. He was married to Mary Anne Hudgins the ninth of August 1947 and a son, Conard Blount Mattox, III, was born November 1, 1948. He completed the requirements for the Bachelor of Arts degree at the University of Richmond in February 1949.